

NEWSLETTER, VOLUME 6 NO. 4

15 February 2016

Contents	page
1. BASIC RIGHTS.....	2
2. ADMISSING POLICY.....	2
3. CHECK AND DETENTION	3
4. ACTIVITIES.....	3

APPEAL: PARTICIPATION FOR PEOPLE WITHOUT RESIDENCE PERMIT

A coalition of aid workers has taken the initiative to make an appeal for the right of adult refugees and migrants without residence papers to do (volunteer) work and be educated. We hope for widespread support, particularly from institutions. The appeal fits in with existing initiatives to allow access to meaningful daytime activities to the new asylum seekers and the people in ‘family locations’.

This fits in with human rights treaties, which mention education and work. Moreover, meaningful daytime pursuits are conducive to individual and societal health en wellbeing. Further information can be found on: www.iedereen-aandeslag.nl

1. BASIC RIGHTS

Minister of Housing and National Administration : illegal residence no reason to terminate lease

The minister has written that illegal residence isn't a reason to terminate a lease. A lease is an agreement between two parties, with regard to type of tenant. Read [here](#) (Dutch only).

Court: Dutch national with EU partner is entitled to family assistance

The judge has ruled that, with regard to social security, EU citizens should be treated like Dutch nationals. The Dutch national with a partner who is an EU citizen should therefore be granted family assistance, instead of individual assistance. Read [here](#)

Court: no authority for father who isn't a carer

In relation to a Zambrano case (residence with Dutch child) the mother has requested that the father won't be given parental authority. The child has never seen the father, and he refuses to care for it. If he doesn't have authority, the mother is to stay in the Netherlands to care for her child. The Hague court (civil), C/09/493368, 12.11.15

2. ADMISSION POLICY

Parliament: act to withdraw Dutch citizenship in view of terrorist activities to be formality

Dutch parliament has asked some questions regarding the act by means of which Dutch citizenship can be withdrawn due to involvement in terrorist activities. Parliament considers the answers to be sufficient preparation; an extensive discussion is not needed. Read [here](#) (Dutch only).

State secretary Security & Justice: safe countries of origin

The state secretary has established that Ghana, India, Jamaica, Morocco, Mongolia and Senegal are new safe countries of origin. In most countries, homosexuals and other groups are still at risk; they are still entitled to an individual assessment.

Furthermore, the state secretary is surveying Algeria, Georgia, Tunisia, Turkey and Ukraine, followed by Bangladesh, Brazil, Colombia, Cuba, Honduras, Jordan, Kenya, Lebanon, Nepal, Togo, Trinidad and Tobago, Chad, Zambia, Zimbabwe and South-Africa. Read [here](#) (Dutch only).

Council of State: new facts conditional to re-applying for exemption from integration test abroad

The Immigration and Naturalisation Service (IND) has to make an individual decision following a request for exemption from the integration test abroad. This ensues from a pronouncement by the Court of Justice of the European Union. However, if the application has been submitted before, new facts will need to be added; otherwise no new decision needs to be made, according to the Council of State. Read [here](#) (Dutch only).

Court: welfare for Belgian national no reason to revoke permit due to Benelux treaty

For Europeans, receiving welfare may be a reason to withdraw the residence permit. The judge has ruled that this is different for Belgian nationals, because then the Benelux treaty applies. The treaty states that only a criminal record is a reason for withdrawing the permit. Read [here](#) (Dutch only).

Council of State: permanent children's pardon arrangement conditional to collaborating return

This case concerns a family of asylum seekers whose initial refusal was overturned on appeal. The decision by the IND had not been made carefully. During the appeal period, the parents refused to be returned. That is why the children's pardon does not apply to their children. Read [here](#) (Dutch only).

3. CHECK AND DETENTION

Court: No penalty for breaking severe entry ban in the interest of deportation

This case concerns a man with a severe entry ban due to a criminal record, following approximately 20 years' legal residence. Now, he has been found to reside illegally. A fine of 500,- or 2 months' imprisonment have been demanded. The court rules that punishment will hinder deportation. Partly in view of his personal circumstances, the man will not be punished. Read [here](#) (Dutch only).

4. ACTIVITIES

Demonstration 'Defying racism and discrimination; all different all equal. 19 march A'dam

This is the annual '21 March demonstration'. Start 13:00 hrs from the Beursplein finishing on the Museumplein with a cultural programme including speakers and music.

Unicef report - Global statistics female genital mutilation (FGM)

Unicef presents the latest global statistics on female genital mutilation (FGM). Gambia, Mauretania and Indonesia top the list of mutilation of girls (aged 0-14).

Read "[Female Genital Mutilation/Cutting: A Global Concern](#)" (5.2.16)

Manual for experts on multidisciplinary cooperation against trafficking in human beings for labour exploitation

The manual is aimed at experts and intended to help inspire and strengthen the policy and practice to address trafficking in human beings (THB) for labour exploitation of all organisations that could come across it. Expertise and ideas from experts from all Member States were collected as input.

<http://english.eu2016.nl/documents/publications/2016/01/18/manual-for-experts-on-multidisciplinary-cooperation-against-trafficking-in-human-beings-for-labour-exploitation>